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June 25, 2003

**RECEIVED**

JUN 26 2003

PUBLIC SERVICE  
COMMISSION

Mr. Thomas M. Dorman  
Executive Director  
Kentucky Public Service Commission  
211 Sower Boulevard  
P.O. Box 615  
Frankfort, Kentucky 40602

RE: Inquiry Into the Use of Contract Service Arrangements by Telecommunications  
Carriers in Kentucky—Case No. 2002-00456

Dear Mr. Dorman:

Enclosed are an original and five (5) copies, plus an electronic version, of the Request for Informal Conference by Cincinnati Bell Telephone Company for filing in the above-captioned proceeding. A duplicate original copy of this letter is enclosed; please date-stamp this copy as acknowledgement of its receipt and return it in the enclosed, self-addressed envelope. Questions regarding this filing may be directed to me at the above address or by telephone at (513) 397-7260.

Sincerely,

Jouett Kinney  
Cincinnati Bell Telephone

Enclosures w/ CD-ROM

COMMONWEALTH OF KENTUCKY  
BEFORE THE PUBLIC SERVICE COMMISSION

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COMMISSION

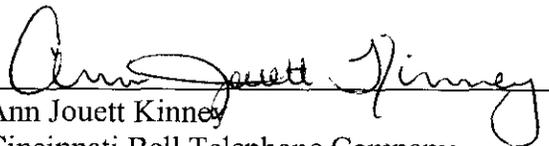
In the Matter of:

INQUIRY INTO THE USE OF CONTRACT SERVICE )  
ARRANGEMENTS BY TELECOMMUNICATIONS ) CASE NO.  
CARRIERS IN KENTUCKY ) 2002-00456

**REQUEST FOR AN INFORMAL CONFERENCE BY**  
**CINCINNATI BELL TELEPHONE COMPANY**

Pursuant to 807 KAR 5:001, Section 4(4), Cincinnati Bell Telephone Company requests that the Commission schedule an informal conference with the Commission Staff and other parties to this proceeding prior to the date of a hearing on this matter. The grounds for this request are set forth in the attached Memorandum in Support.

Respectfully submitted,



Ann Jouett Kinney  
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David C. Olson  
FROST BROWN TODD LLC  
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Attorneys for Cincinnati Bell Telephone Company

## MEMORANDUM IN SUPPORT

807 KAR 5:001 sets forth the Rules of Procedure which govern all formal and informal proceedings before the Commission. 807 KAR 5:001, Section 4(4) specifically provides that any party to a proceeding may request an informal conference with the Commission Staff, either prior to or during the course of hearings, in order to provide an opportunity for settlement of a proceeding or any of the issues therein. For the reasons set forth below, CBT hereby requests such an informal conference.

This case was opened by the Commission for the purpose of examining the use of contract service arrangements (“CSAs”) by the telecommunications carriers in Kentucky. The Commission stated that while it expected full compliance from incumbent local exchange carriers (“ILECs”) and larger competitive local exchange carriers (“CLECs”) active before the Commission, a carrier that did not wish to participate could file a statement explaining the basis for its decision. By Order dated January 28, 2003, the Commission issued another order in this proceeding whereby it expanded the scope of the inquiry to other telecommunications carriers. There, the Commission reiterated the reason for its investigation: **“The purpose of this proceeding is to investigate all service arrangements provided by Kentucky carriers at other than tariff rates.”**<sup>1</sup> (emphasis added)

As stated in its response to the Commission’s data requests, CBT assumes that all telecommunications providers are obligated to file contracts for approval of non-tariff rates in accordance with KRS 278.160(1) and 807 KAR 5:011, Section 13.<sup>2</sup> However, only a few parties

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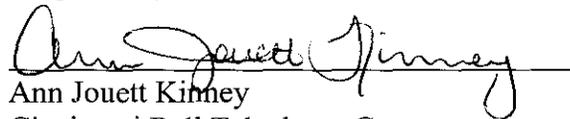
<sup>1</sup> *Inquiry Into the Use of Contract Service Arrangements by Telecommunications Carriers in Kentucky*, Order, Case No. 2002-00456 (January 28, 2003) at 2.

<sup>2</sup> See CBT’s Responses to Information Requests at 14.

are actively participating in this proceeding. To date, the participants include: ALLTEL, AT&T, BellSouth, CBT, Cinergy, and the Frankfort Electric & Water Plant Board.<sup>3</sup>

Because of low participation among carriers, CBT believes there may be confusion about which carriers should be participating in this proceeding and which CSAs requirements should be followed. For these reasons, CBT requests that the Commission schedule an informal conference. An informal conference will give the parties, along with Commission staff and other interested persons, an opportunity to discuss these and other matters related to the proceeding prior to a hearing. It will also provide an opportunity to explore the adoption of standard procedures for CSAs. CBT believes that such a discussion would be beneficial to the Commission's investigation and may result in clarification and possible resolution of some of the key issues in this proceeding.

Respectfully submitted,



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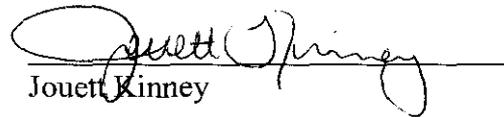
Attorneys for Cincinnati Bell Telephone Company

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<sup>3</sup> This list is based on a review of entries to the Commission's electronic case file.

CERTIFICATE OF SERVICE

It is hereby certified that a true and accurate copy of the foregoing was served on the individuals on the attached Service List by first-class mail, postage prepaid, on the 25<sup>th</sup> day of June 2003.

  
Jouett Kinney

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